

## AMENDMENTS TO THE CLAIMS

In accordance with 37 C.F.R. §1.121(c), please amend the claims as indicated in marked-up form below, where additions are underlined and where deletions are struck through.

1. (Currently Amended) A method of determining a directed contribution amount to an accruable health spending account compliant with Section 105 of Internal Revenue Code of 1986 for a member of an employer-sponsored health plan, comprising:

presenting an employer-funded defined contribution having a value for a given time period;

presenting at least one insurance premium option, the at least one insurance premium option defining an option cost for the given time period;

querying for a premium option selection based on the at least one insurance premium option, the premium option selection including a selection allocation less than or equal to the option cost;

receiving the premium option selection; and

calculating the directed contribution amount to the accruable health spending account compliant with Section 105 of Internal Revenue Code of 1986 by subtracting either the selection allocation or the option cost from the defined contribution value.

2. (Original) The method of Claim 1, wherein the given time period comprises at least one of a group consisting essentially of a day, week, month, and year.

3. (Original) The method of Claim 2, wherein the defined contribution value, selection allocation, option cost, and the directed contribution amount are expressed in one or more units of currency.

4. (Original) The method of Claim 1, further comprising presenting the directed contribution amount.

5. (Original) The method of Claim 1, further comprising presenting a predicted contribution amount for the accruable health spending account, the predicted contribution amount based on either the defined contribution value or the option cost.

6. (Original) The method of Claim 1, wherein said directed contribution amount calculating step comprises subtracting the selection allocation from the defined contribution value.

7. (Original) The method of Claim 6, further comprising:  
calculating a predicted contribution amount for the accruable health spending account by subtracting the option cost from the defined contribution value; and  
presenting the predicted contribution amount.

8. (Original) The method of Claim 6, further comprising:  
calculating an out-of-pocket premium cost for the premium option selection by subtracting the selection allocation from the option cost.

9. (Original) The method of Claim 8, further comprising presenting the out-of-pocket premium cost.

10. (Original) A method of paying an insurance premium of an insurance policy covering a member of an employer-sponsored health plan, the insurance policy defining a payor having a premium account, the method comprising:

- A) calculating the out-of-pocket cost in accordance with the method of Claim 8;
- B) transferring a first amount from member funds to the premium account, the first amount substantially equivalent to the calculated out-of-pocket premium cost; and
- C) transferring a second amount from employer funds to the premium account, the second amount substantially equivalent to the selection allocation.

11. (Original) The method of Claim 10, wherein said transferring steps B and C comprise a single financial transaction.

12. (Original) The method of Claim 10, wherein said transferring steps B and C comprise distinct financial transactions.

13. (Currently Amended) The method of Claim 10, wherein:  
the member funds are pre-tax;  
~~the accruable health spending account complies with section 105 of the Internal Revenue Code of 1986; and~~

said transferring ~~step A~~ steps B and C complies with section 125 of the Internal Revenue Code of 1986.

14. (Original) A method of funding an accruable health spending account compliant with Section 105 of Internal Revenue Code of 1986 for a member of an employer-sponsored health plan, comprising:

determining the directed contribution amount in accordance with the method of Claim 1;  
and

transferring a first amount from an employer funded account to the accruable health spending account for the member, the first amount substantially equivalent to the directed contribution amount determined in said determining step.

15. (Original) The method of Claim 14, further comprising:  
withdrawing a sum from the accruable health spending account to reimburse the member for a medical expense.

16. (Original) The method of Claim 14, further comprising:  
withdrawing a first sum from a flexible spending account to reimburse the member for a medical expense; and

withdrawing a second sum from the accruable health spending account to reimburse the member for the medical expense when the first sum is less than the medical expense.

17. (Cancelled Without Prejudice)

18-28. (Previously Canceled)

29. (Currently Amended) A method of managing health care spending by an employee comprising the steps of:

establishing an accruable health spending account compliant with Section 105 of Internal Revenue Code of 1986 for the benefit of the employee;

reimbursing the employee for qualified medical expenses incurred during a first accounting period by debiting the accruable health spending account; and

carrying forward any unused balance in the accruable health spending account for reimbursing the employee for qualified medical expenses incurred during a subsequent accounting period.

30. (Previously Added) A method according to claim 29 and further comprising:

upon the employee moving to a new employer, establishing a new accruable health spending account associated with the new employer for the benefit of the employee; and

transferring any unused balance in the accruable health spending account to the new accruable health spending account so that the account is portable.

31. (Previously Added) A method according to claim 29 and further comprising:

determining a defined contribution made by the employee's employer for the employee's health care expenses;

selecting a healthcare insurance option available to the employee, and the premium charge associated with the selected insurance option;

allocating a portion of the defined contribution toward payment of the premium charge associated with the selected insurance option; and

crediting to the accruable health spending account a directed contribution amount equal to the defined contribution less the portion allocated for payment of the premium charge.

32. (Previously Added) A method according to claim 31 wherein the selecting a healthcare insurance option comprises selection by the employee utilizing a computer arranged to display the healthcare insurance options available to the employee together with the premium charge associated with each insurance option.

33. (Previously Added) A method according to claim 31 wherein the allocating a portion of the defined contribution comprises allocation by the employee utilizing a computer arranged to display the healthcare insurance options available to the employee, together with the premium charge associated with each insurance option, and an indication of the defined contribution.

34. (Previously Added) A method according to claim 31 and further comprising paying a portion of the premium charge associated with the selected insurance option through a payroll deduction plan.

35. (Previously Added) A method according to claim 34 wherein the payroll deduction plan is an IRS section 125 plan.

36. (Previously Added) A method according to claim 31 including imposing a limitation on said allocating a portion of the defined contribution, based on the premium charge associated with the selected insurance option.

37. (Previously Added) A method according to claim 29 wherein said debiting the accruable health spending account comprises the use of a debit card or credit card associated with the accruable health spending account.

38. (Previously Added) A method according to claim 29 wherein the accruable health spending account is not individually funded but instead is associated with a pooled fund maintained by the employer.

39. (New) A method of allocating a defined contribution amount paid by an employer to the health care cost of a member of an employer-sponsored health plan comprising the steps of:

presenting to the member the employer's defined contribution amount to the health care cost of the member for a given time period;

offering one or more insurance options to the member with each insurance option having an associated option cost;

receiving one or more insurance option selections for the member;

using input regarding the member to determine a dollar amount the employer will contribute from the defined contribution amount to a cost for each insurance option selection received for the member;

calculating a contribution amount to be paid by the employer to an accruable health spending account compliant with section 105 of the Internal Revenue Code of 1986 by subtracting from the defined contribution amount the dollar amount of the contribution of the employer to each insurance option selection received for the member; and

transferring the calculated contribution amount to the accruable health spending account compliant with section 105 of the Internal Revenue Code of 1986 for the member,

wherein:

a total amount paid by the employer and transferred to the accruable health spending account towards the one or more insurance option selections for the member is equal to or less than the defined contribution amount.

40. (New) A method of paying out-of-pocket health care expenses for a member of an employer-sponsored health plan comprising the steps of:

establishing an accruable health spending account, complaint with section 105 of the Internal Revenue Code of 1986, for the benefit of the member;

establishing a flexible spending account for the benefit of the member;

determining a directed contribution amount to be paid by the employer to the accruable health spending account for the benefit of member;

transferring a first amount from an employer-funded account to the accruable health spending account for the member, the first amount substantially equivalent to the directed contribution amount;

withdrawing a first sum from the flexible spending account to reimburse the member for a medical expense;

withdrawing a second sum from the accruable health spending account to reimburse the member for a remainder of the medical expense when the first sum is less than the medical expense;  
and

carrying forward any unused balance in the accruable health spending account for reimbursing the member for qualified medical expenses incurred during a subsequent accounting period.